

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – December 11, 2003
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairman: Craig H. Zetley *(voting on items 1-77)*

Members: Henry P. Szymanski *(voting on items 1-77)*
Scott R. Winkler *(voting on items 1-52, 54-77)*
Catherine M. Doyle *(voting on items 1-77)*
Roy B. Nabors *(voting on items 1-77)*

Alt. Board Members: Georgia M. Cameron *(voting on item 53)*
Donald Jackson *(voting on items)*

START TIME: 2:10 p.m.

End Time: 5:47 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	24960 Use Variance	Gary John Gresl, Milwaukee Antique Center for Kal LTD.;Prospective Buyer Request to occupy a portion of the premises as a general retail establishment(antique store).	420 S. 1st St. 12th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
2	25350 Special Use	Hampton Ready Mix, LLC Prospective Buyer Request to occupy the premises as a heavy manufacturing facility (concrete mixing).	11915 W. Hampton Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
3	24951 Other	Darnell & Donna Robinson, Lessee Request to appeal condition #7 of the decision for case #24194 that any fencing along West McKinley Ave. or North 34th St. is of decorative metal type(not chain link).	3410 W. McKinley Bl. 4th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
4	25313 Special Use	Sheyla Rabelo, Lessee Request to occupy a portion of the premises as a fast-food/carry-out restaurant.	300 W. Juneau Av. A/K/A 300-18 W. Juneau Ave. 4th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
5	24965 Special Use	Shepherd House of Milwaukee, Lessee Request to occupy the premises as a transitional living facility for adults.	2963-65 N. Holton St. 6th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
6	25355 Dimensional Variance	Dalores Tools, Property Owner Request to construct an attached garage with residential living space on the second floor.	600 W. Garfield Av. A/K/A 600-02 W. Garfield Ave. 6th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
7	25366 Extension of Time	Pastor Brian D. Kenner, Property Owner Request for an extension of time to occupy the premises as a religious assembly hall.	3765 N. 35th St. 10th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the extension of time request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	6 month approval.	
8	25311 Special Use	Edgar Mendoza, Property Owner Request to continue occupying the premises as a religious assembly hall and social service facility.	1401 S. 6th St. A/K/A 1401-09 S. 6th St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
9	25323 Special Use	Roberto Ramirez & Isabelle Reyes Prospective Buyer Request to occupy the premises as a 24 hr day care center for 50 children infant to 12yrs of age, Monday-Friday.	1436 W. Mitchell St. A/K/A 1436-38 W. Mitchell St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-605-5 the Milwaukee Zoning Code. 5. That the storefront windows are restored to clear glass and are maintained in an attractive manner. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the outdoor play area is separated from the parking area by some type of physical barrier such as bollards. 8. That the applicant obtains a certificate of occupancy and complies with all State commercial codes for educational and institutional occupancies. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	25375 Dimensional Variance	Angel Sanchez, Property Owner Request to construct a detached garage on the premises.	727 W. Madison St. 12th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
11	25279 Special Use	Edward G. & Mary T. Ennis Request to expand the existing motor vehicle sales and repair facility.	5150 S. 27th St. 13th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of an interested party and will be rescheduled at the next available hearing.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
12	25369 Special Use	Jeffrey Steren, k/a College Restaurant d/b/a McDonald's Restaurant; Lessee Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive-through facility.	6262 S. 13th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That all previous Board conditions are complied with. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	25293 Special Use	KAK Enterprises, LLC, Optionee Request to construct a heavy motor vehicle repair facility on the premises.	10801 W. County Line Rd. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That no disabled or unlicensed vehicles or parts are stored outside. 8. That all repair work is conducted inside of the building. 9. That the petitioner has no outdoor storage of auto part, tires, nuisance vehicles or other junk and debris. 10. That the petitioner has no display of exterior banners or other advertising except signs that are approved by permit and on the site plan. 11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

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14	25334 Special Use	H & K Partners LLC, Peter Helf;Property Owner Request to continue occupying the premises as a fast-food/carry-out restaurant with a drive through facility (open Sunday-Thursday 10:30am-10:00pm, Friday&Saturday 10:30am-11:00pm).	1353-55 N. 35th St. 16th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>5. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
15	25348 Other	Cassandra Holley Enterprises Inc., Lessee Request to amend their plan operation to allow for 3 parking spaces instead of 6 of the existing day care center.	3109-19 W. Burnham St. 16th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	25322 Special Use	Lisa Jefferson, Lessee Request to continue occupying the premises as a day care center for 40 children 6 weeks to 12 years of age, 6 a.m. to 11:30 p.m.	4349-51 N. 35th St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>5. That all previous conditions of the Board regarding this property are complied with.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	25329 Special Use	Terry Bennett, Prospective Buyer Request to continue occupying the premises as a day care center for 50 children 6wks-12yrs of age, Monday-Friday increasing the hours of operation from 7:00am-Midnight to 6:30am-Midnight. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That the storefront windows are retained as vision glass and are maintained in a neat and orderly manner. 6. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 7. That a loading zone is obtained on West Villard Avenue. 8. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	3619 W. Villard Av. 1st Dist.
18	25336 Use Variance	FTH Properties LTD Fred T. Holfstede;Property Owner Request to construct a contractor's shop addition to the existing real estate sales facility. Action: Adjourned Motion: This matter was adjourned at the request of the Alderman and will be rescheduled on the next available agenda.	6642-44 W. Lisbon Av. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
19	25239 Special Use	Latanya Jenkins, Lessee Request to occupy the premises as a 24hr day care center for 85 children 6wk to 12yrs of age, Monday-Sunday.	2626 W. Vliet St. A/K/A 2626-32 W. Vliet St. 4th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by staff and will be rescheduled on the next available agenda.	
20	25297 Special Use	Milwaukee County DPW-Facilities Management John R. Dehli;Property Owner Request to continue occupying the premises as a 24hr surface parking lot.	601-23 W. State St. A/K/A 929 N. 6th St. 4th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	25296 Special Use	Sam Buchanan, Lessee Request to continue occupying the premises as a motor vehicle repair facility.	3030 N. Martin Luther King Dr. A/K/A 3030-48 N. Martin Luther King Jr. Dr. 6th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
22	25338 Special Use	Rilla Williams, Lessee Request to increase the number of children from 53 to 80 of the existing day care center infant to 12yrs of age, and increasing the hours of operation from 7:00am-6:00pm to 6:00am-12:30am Monday-Friday.	1850 N. Martin L. King Jr Dr. A/K/A 1830-50 N. Martin L King Jr. Dr. 6th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That all previous conditions of the Board regarding this property are complied with. 5. That this Special Use is granted for a period of time commencing with the date hereof and expiring on October 18, 2012. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	25345 Special Use	Amit Ray, Milwaukee Multicultural Academy; Lessee	208 E. Capitol Dr. 6th Dist.
		Request to occupy the premises as a secondary/elementary school.	
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>6. That the windows remain as clear glass and are maintained in an attractive manner.</p> <p>7. That the applicant obtains an occupancy certificate and complies with all State commercial code requirements for educational occupancies including occupancy separation.</p> <p>8. That the applicant's occupancy is limited to a maximum of 100 including both students and staff.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

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24	25319 Special Use	Cherryland Inc., Margaret Minniefield;Property Owner Request to continue occupying the premises as a 24hr day care center for 19 children 4wks to 12yrs of age, Monday- Friday.	2967 N. 45th St. A/K/A 2967-69 N 45th St. 7th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>5. That signage not exceed 18 square feet.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
25	25325 Special Use	Murrel Hart Jr., Property Owner Request to continue occupying the premises as a 24hr day care facility for and increase the number of children from 20 to 24 children (8 per shift) 6wks to 12yrs of age, Monday-Sunday.	3124 N. 46th St. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage for the day care center is limited to a maximum of one (1) sign and that sign shall not exceed 18 square feet.</p> <p>5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	25357 Special Use	H & M Auto Service & Transport Inc. James Hull; Lessee Request to continue occupying the premises as a motor vehicle repair, sales, and part sales facility.	2424 N. 30th St. 7th Dist.
	Action:	Granted 11 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That provided there is no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 5. That provided all repair work is conducted inside of the building. 6. That provided any signage must conform to the sign standards of s. 295-705 of the Milwaukee Zoning Code. 7. That provided an opaque fence is erected along the north property line to separate the site from the north abutting residence 8. That provided shrubs are planted in the grass strip between the fence and the sidewalk along the North 30th Street frontage. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
27	25358 Special Use	Hattie Thompson, Property Owner Request to continue occupying the premises as a day care center for 25 children infant to 12yrs of age, Monday-Friday 6:00am-Midnight. Action: Granted 10 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That any signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.	2634-36 N. 24th St. 7th Dist.
28	25344 Special Use	Life Protection Arts & Sciences, Lessee Request to occupy the premises as a specialty school (martial arts). Action: Granted 5 yrs. Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as clear glass and are maintained in an attractive manner. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	3410 W. Forest Home Av. 8th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	25295 Special Use	Dennis Giannopoulos, Lessee Request to occupy the premises as a fast-food/carry-out restaurant (open Monday-Sunday 10:30am-Midnight).	7272 N. 76th St. 9th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening must meet the requirements of s.295-405 of the Milwaukee Zoning Code.</p> <p>5. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	25305 Dimensional Variance	MDW III LLC, Property Owner Request to construct a two-family residential dwelling on the premises.	6812 W. Mill Rd. 9th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	
31	25306 Dimensional Variance	MDW III LLC, Property Owner Request to construct a two-family residential dwelling on the premises.	6824 W. Mill Rd. A/K/A 6824-36 W. Mill Rd. 9th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	25308 Dimensional Variance	MDW II LLC, Property Owner Request to construct a two-family residential dwelling on the premises.	6738 W. Mill Rd. 9th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	
33	25310 Dimensional Variance	MDW III LLC, Property Owner Request to construct a two-family residential dwelling on the premises.	6800 W. Mill Rd. A/K/A 6800-02 W. Mill Rd 9th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	25327 Special Use	Lisa M. Johnson, Lessee Request to occupy the premises as a day care center for 75 children 6wks to 12yrs of age, Monday-Sunday 6:00am-1:00am.	7415 W. Bradley Rd. A/K/A 7505 W. Bradley Rd. 9th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
35	25210 Dimensional Variance	Brian Mehlberg, Property Owner Request to legalize the existing 6 ft. high fence in the front and side yard setback on site.	3260 S. 63rd St. 11th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
36	25282 Dimensional Variance	Martha J. Irby, Prospective Buyer Request to construct a single family residential dwelling.	6041 N. Denmark St. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	2 Ayes, 2 Nays, 1 C. Zetley Abstained.	
37	25095 Use Variance	Laurel Scherbarth, Property Owner Request to allow parking within the front yard setback of the principal building.	230 N. 70th St. 16th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
38	25255 Resubmission Request	Horizons, Inc., Property Owner Request a request to occupy the premises as a social service facility.	1863 N. 25th St. 17th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the request. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
39	25209 Dimensional Variance	Joel Blaeser, Property Owner Request to construct a 6 ft high fence around the two parcels.	2025-31 N. Booth St. 6th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	25128 Special Use	Ehab Daoud, d/b/a Shark's Fish & Chicken; Prospective Buyer	1515 W. North Av. 17th Dist.
		Request to occupy the premises as a fast-food/ carry out restaurant and drive through facility (open 10:00am-10:00pm) Monday-Sunday) that is located less than 150 ft. from a residential use.	
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That a revised landscape and screening plan meeting the intent of city code section 295-405 is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>6. That site illumination plans which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>7. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>8. That the speaker system for the drive through window is not used between the hours of 10pm and 7am.</p> <p>9. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	25242 Dimensional Variance	Dara Atlija, Property Owner Request to divide the existing lot and construct a residential dwelling without the minimum lot area.	3874 S. 60th St. 11th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
42	25290 Use Variance	Steven & Gordana Rajak, Property Owner Request to construct a two-family dwelling on the premises.	3173-77 S. 40th St. 11th Dist.
	Action:	Denied	
	Motion:	Scott Winkler moved to deny the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	25339 Special Use	<p>Tapat Properties, LLC, Midwest Community Services, Inc.;Prospective Buyer</p> <p>Request to occupy the premises as a transitional living facility.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner take all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel. 5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>7221 W. Oklahoma Av. 11th Dist.</p>
44	25363 Other	<p>Shepherd's Care Christen Preschool Property Owner</p> <p>Request to modify their previously approved site plan(parking area) of the existing day care center.</p> <p>Action: Granted</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <p>That this modification to the existing Special Use permit is granted for a period of ten time commencing with the date hereof and expiring on December 12, 2011 provided that all prior Board conditions, except those amended in this decision, are complied with.</p>	<p>9741 W. Beloit Rd. A/K/A 9700 W. Morgan Ave. 11th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	25373 Dimensional Variance	James J. Valona, Property Owner Request to modify the previous Board approved plans to construct a covered porch on the premises.	323 W. Walker St. 12th Dist.
	Action:	Adjourned	
	Motion:	Scott Winkler moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
46	25234 Special Use	Regina Thompson, Lessee Request to occupy the premises as a daycare center for 50 children 6wks to 12yrs of age, Monday-Friday 6:00 a.m. - 6 p.m.	1926 W. Arrow Av. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-505-5 of the Milwaukee Zoning Code. 5. That the storefront windows remain as clear glass and are maintained in an attractive manner. 6. That a loading zone be obtained along the South 20th Street frontage of the site. 7. That the applicant obtains a certificate of occupancy and complies with all State commercial code requirements for institutional and educational occupancies. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	24958 Special Use	Christian Family Gathering, Property Owner Request to occupy the premises as a day care center for 35 children per shift, ages 6wks-12yrs, Monday-Friday 6:00am-12:00am. Action: Dismissed Motion: Roy Nabors moved to dismiss the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	2255 S. 6th St. 12th Dist.
48	25291 Dimensional Variance	Mark E. Steinmetz Jr., Property Owner Request to allow an 8 ft. porch depth on the premises. Action: Adjourned Motion: Henry Szymanski moved to adjourn the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.	3946 S. 2nd St. 13th Dist.
49	25330 Dimensional Variance	Michael T. Schmitz & Barbara J. O'Leary Property Owner Request to construct a single family residential dwelling on the premises. Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler. Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	4063 S. Clement Av. 13th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	25260 Appeal of an Order	James Letizia, DBA Diamond Jim's, Auto Sales; Lessee Request to appeal the order of the Department of Neighborhood Services determination that the non-conforming Special use was enlarged without Board approval.	5848 S. 27 St. 13th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
51	25284 Special Use	St. Francis Hospital, Property Owner Request to construct a parking lot on the premises.	3300 S. 16th St. 14th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination plans (photometric plan) which meet the requirements of s.295-409 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits.</p> <p>5. That a site plan be submitted to the Zoning Administrative Group that includes upgraded elevations of the proposed decorative metal fence on site.</p> <p>6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
52	25335 Special Use	<p>Endeavour Group Investments, LLC Prospective Buyer</p> <p>Request to occupy the premises for a coffee shop with a drive-through facility and 2 fast-food/carry-out restaurants.</p> <p>Action: Adjourned</p> <p>Motion: Scott Winkler moved to adjourn the appeal. Seconded by Catherine Doyle.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p>	<p>2110 E. Oklahoma Av. 14th Dist.</p>
53	25252 Dimensional Variance	<p>Steven R. Brurok, Property Owner</p> <p>Request to construct a detached garage on the premises.</p> <p>Action: Adjourned</p> <p>Motion: Henry Szymanski moved to adjourn the appeal. Seconded by Georgia Cameron.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p>	<p>6439 N. 91st St. 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	25278 Dimensional Variance	New Life Community Church Tom Dekker;Property Owner Request to construct a monument sign that exceeds 6 ft in height (7.5 ft), is 6 ft. larger than the permitted sign area (18 sq. ft. permitted) and gives the premises a total of two signs when only one is permitted by code.	11919 W. Bradley Rd. A/K/A 12228 W. Park Pl. 15th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That a revised sign plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration group. The revised sign must contain a solid base that is at least as wide as the width of the sign. 5. That the sign be a maximum of 6 ft. in height. 6. That this Variance is granted to run with the land. 	
55	25351 Dimensional Variance	Kurt Rleinhans, Wolf DCM Acquisition LLC;Property Owner Request to replace the signage of the existing motor vehicle filling station.	11728 W. Hampton Av. 15th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	25368 Special Use	Gregory S. Westphal, Prospective Buyer Request to occupy the premises as a motor vehicle filling station and convenience store open 5 a.m. until midnight, with a car wash facility (open 24 hours).	5401 N. Lovers Lane Rd. 15th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening plans which meet the requirements of s.295-405 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 5. That signage plans which meet the sign standards of s.295-605-5 of the Milwaukee Zoning Code must be submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group prior to the issuance of any permits. 6. That no disabled or unlicensed vehicles or parts are stored outside. 7. That all car wash activity is conducted inside of the building. 8. That all wastewater is contained on site. 9. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private security personnel if necessary. 10. That individually sold cigars, cigarette wrapping paper, Black and Mild cigars, Blunt cigars, glass tubes (i.e. type associated with individually sold flowers) and any other items deemed to be drug paraphernalia, not be sold on the premises. 11. That the applicant does not have outdoor storage or display of products or merchandise. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	25370 Dimensional Variance	Balm In Gilead for All People Church & Ministries, Property Owner Request to construct a religious assembly hall on the premises with parking in the front yard setback.	6100 N. 84th St. A/K/A 6100-6200 N. 84th St. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the petitioner build in accordance with plans submitted.</p> <p>4. That the petitioner comply with the requirements of the site plan overlay district for this site by City of Milwaukee Common Council file # 980290.</p> <p>5. That the southerly driveway to the site is relocated to align with West Lynx Avenue.</p> <p>6. That the applicant remove all existing walls on site that will not be utilized in the construction of the building on site within 90 days of the board's approval.</p> <p>7. That this Variance is granted to run with the land.</p>	
58	25272 Special Use	Wayne Armon, Property Owner Request to occupy the premises as a day care facility for 8 children 6wks to 12yrs of age, Monday-Sunday 6:00am-10:00pm.	8521 W. Fairy Chasm Dr. 15th Dist.
	Action:	Denied	
	Motion:	Henry Szymanski moved to deny the appeal. Seconded by Catherine Doyle.	
	Vote:	2 Ayes, 2 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
59	25146 Special Use	Megal Development Corporation, Lessee Request to occupy a portion of the premises as a car wash facility (automotive detailing).	11930 W. Silver Spring Dr. A/K/A 11912-38 W. Silver Spring Dr. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Catherine Doyle.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must conform to the sign standards of s. 295-805-5 of the Milwaukee Zoning Code. 5. That all wastewater is contained on site. 6. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	
60	25259 Dimensional Variance	H.A.C.M., Property Owner Request to construct a single-family residential dwelling.	1623 W. Vine St. 17th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
61	25263 Special Use	Sandra Murrell, Other Request to occupy the premises as a 24hr day care facility for 8 children 6wks to 12 yrs of age, Monday-Friday.	5305 N. 51st St. 1st Dist.
	Action:	Adjourned	
	Motion:	This matter has been adjourned at the request of the Alderman and will be rescheduled at the next available hearing.	
62	25271 Special Use	Linda Anthony, Property Owner Request to occupy the premises as a day care center for 20 children newborn to 12yrs of age, Monday-Friday 6:30am-Midnight.	4585 N. 23rd St. 1st Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the request. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
63	25247 Special Use	Catherine Kimberly Griffin, Lessee Request to occupy the premises as a day care facility for 8 children 6wks to 12yrs of age, Monday-Friday 6:00am-10:00pm.	4045 N. 47th St. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 1 Nays, C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant have no exterior signage. 5. That the applicant or the applicant's mother live on site. 6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	25299 Special Use	<p>Surety Child Care, Property Owner</p> <p>Request to increase the hours of operation from 6:00am-6:30pm to 24hr of the existing day care center for 70 children 6 wks to 13 yrs, Monday-Friday.</p> <p>Action: Granted</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Henry Szymanski.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized after 8:00 P.M. or before 9:00 A.M. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	5810 W. Fond Du Lac Av. 2nd Dist.
65	25303 Special Use	<p>Earline Owens, d/b/a Early Bird Day Care Center; Lessee</p> <p>Request to occupy the premises as a 24hr day car facility for 8 children per shift 6wks to 13yrs of age, Monday-Friday.</p> <p>Action: Granted 3 yrs.</p> <p>Motion: Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Zetley Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the play area is not utilized before 9 a.m. or after 8 p.m. 5. That the hours of operation shall be 6 a.m. to midnight. 6. That no signage is erected on site. 7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	6514 W. Carmen Av. A/K/A 6514-16 W. Carmen Ave. 2nd Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	25371 Special Use	John & Peninnah M. Kako, Lessee Request to occupy the premises as a social service facility (for 30 children).	7127A W. Lisbon Av. A/K/A 7127-35 W. Lisbon Ave. 2nd Dist.
	Action:	Granted 2 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.	
67	25175 Use Variance	Victory Christian Academy Michael Neuburg, Exec. Director; Lessee Request to occupy the premises as a secondary school, grades 6-12.	2202 W. Clybourn St. A/K/A 2202-2312 W. Clybourn St. 4th Dist.
	Action:	Adjourned	
	Motion:	Roy Nabors moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
68	25267 Special Use	Earl Grunwald, Property Owner Request to occupy the premises as an outdoor salvage operation.	4117 N. Richards St. 6th Dist.
	Action:	Adjourned	
	Motion:	Henry Szymanski moved to adjourn the appeal. Seconded by Roy Nabors.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	25270 Special Use	Pastor James Willis, Lessee Request to occupy the premises as a religious assembly hall.	4723 W. Center St. A/K/A 4723-27 W. Center St. 7th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	
70	25377	Property Place Ltd. c/o AAA Properties;Property Owner Request to appeal an order issued by the Department of Neighborhood Services.	4620 W. Hale Pl. 7th Dist.
	Action:	Dismissed	
	Motion:	Catherine Doyle moved to dismiss the appeal with prejudice. Seconded by Henry Syzmanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	25300 Dimensional Variance	David A. Arena, Property Owner Request to raze the existing detached garage and construct a new detached garage on the premises.	1908 S. 28th St. 8th Dist.
	Action:	Granted	
	Motion:	Scott Winkler moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land.	
72	25226 Special Use	Mr. Alfred Anderson, Lessee Request to occupy the premises as a religious assembly hall.	5712 N. Teutonia Av. 9th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	25154 Dimensional Variance	Dee Balk, Property Owner Request to allow a 6ft. fence in a the front yard setback.	5767 N. 42nd St. A/K/A 5767 (-A) n 42nd St. 9th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the petitioner build in accordance with plans submitted. 4. That this Variance is granted to run with the land. 	
74	25302 Special Use	Normerstine Pullian & Earnestine Griffin Prospective Buyer Request to occupy the premises as 24hr day care facility for 8 children per shift 4wks to 12yrs of age, Monday-Friday.	3870 N. 27th St. 10th Dist.
	Action:	Granted	
	Motion:	Roy Nabors moved to grant the appeal. Seconded by Scott Winkler.	
	Vote:	4 Ayes, 1 Nays, 0 Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no signage be erected on site. 5. That the play area not be utilized before 9 a.m. or after 8 p.m. 6. That this Special Use is granted for a period of time commencing with the date hereof and expiring on June 30, 2005. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	24943 Special Use	Nadeem A Qureshi, Property Owner Request to occupy the premises as a fast/food carry-out restaurant.	1032 W. Burleigh St. 10th Dist.
	Action:	Dismissed	
	Motion:	Roy Nabors moved to dismiss the request. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Zetley Abstained.	
76	25309 Special Use	Amazing Ministries Property Owner Request to continue occupying the premises as a religious assembly hall.	5418 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	Adjourned at the request of the applicant and city attorney. Will be scheduled when issues regarding the proposed development agreement are resolved.	
77	25304 Special Use	Amazing Ministries, Property Owner Request to occupy the premises as a commercial parking lot.	5506 W. Burleigh St. A/K/A 5418 W. Burleigh St. 7th Dist.
	Action:	Adjourned	
	Motion:	Adjourned at the request of the applicant and city attorney. Will be scheduled when issues regarding the proposed development agreement are resolved.	

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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Other Business:

Board member Winkler moved to approve the minutes of the November 6, 2003 meeting. Seconded by Board member Szymanski. Unanimously approved.

The Board set the next meeting for January 22, 2004.

Board member Nabors moved to adjourn the meeting at 5:47 p.m.. Seconded by Board member Winkler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board